

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**Human Differential Intelligence LLC,**

**Plaintiff,**

**v.**

**Cloudflare, Inc.,**

**Defendant.**

**Civil Action No. 1:22-cv-01334**

**JURY TRIAL DEMANDED**

**AGREED SCHEDULING ORDER**

Pursuant to Federal Rule of Civil Procedure 16, the following Agreed Scheduling Order is issued by the Court:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed on or before **February 28, 2025**.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before **August 15, 2023**, and each opposing party shall respond, in writing, on or before **December 15, 2023**. All offers of settlement are to be private, not filed. The parties are ordered to retain the written offers of settlement and responses so the Court may use them in assessing attorney's fees and costs at the conclusion of the trial.
3. Each party shall complete and file the "Notice Concerning Reference to United States Magistrate Judge" on or before **June 30, 2023**.
4. The parties shall also comply with the following deadlines:

Date	Event
August 1, 2023	Rule 26(a)(1)(A) Disclosures; opening of fact discovery
August 15, 2023	Infringement contentions (in the form of element-by-element infringement claim charts); production of documents evidencing a sale or offer to sell the claimed invention prior to the date of application for the patents-in-suit, and documents evidencing the conception, reduction to practice, design and development of each claimed invention; a copy of the file history for each patent in suit
August 30, 2023	Motions for leave to join additional parties / motions for leave to add patents / all other amendments may be filed without leave of court on or before today (later amendments to pleadings require leave of court)
December 15, 2023	Invalidity/eligibility contentions (in the form of element-by-element invalidity claim charts, and including identification of any limitations that are allegedly indefinite or lack written description). Prior art referenced in invalidity contentions to be produced.
January 12, 2024	Exchange of claim terms requiring construction / identification of § 112(f) terms
February 12, 2024	Exchange proposed claim constructions and extrinsic evidence
March 12, 2024	Complete claim construction discovery
March 29, 2024	Joint claim construction chart; service of expert declarations in support of claim construction positions (if expert declarations are served, parties may depose experts up to 2 weeks prior to opening <i>Markman</i> briefs)
May 3, 2024	Opening <i>Markman</i> briefs, with supporting evidence. 30 page limit for briefs, excluding exhibits/declarations.
June 3, 2024	Responsive <i>Markman</i> briefs, with supporting evidence. 30 page limit for briefs, excluding exhibits/declarations.
June 17, 2024	Reply <i>Markman</i> briefs. 10 page limit.
July , 2024	Claim construction ( <i>Markman</i> ) hearing
October 4, 2024	Close of fact discovery
November 4, 2024	Burden/opening expert reports; all parties shall file their designation of burden testifying experts and serve on all parties, but not file, the

	materials required by Federal Rule of Civil Procedure 26(a)(2)(B)
December 4, 2024	Non-burden/responsive expert reports; all parties shall file their designation of non-burden testifying experts and serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B)
December 27, 2024	Rebuttal expert reports; all parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts
January 17, 2025	Close of expert discovery
February 17, 2025	All dispositive motions (including motions for summary judgments) / motions to strike experts (e.g., <i>Daubert</i> motions); an objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony
March 10, 2025	Responses to dispositive motions (including motions for summary judgments) / motions to strike experts (e.g., <i>Daubert</i> motions)
March 24, 2025	Replies to motions for summary judgment / motions to strike experts; the Court need not wait for the reply before ruling on the motion
June 30, 2025	Burden pretrial disclosures (burden witness list, exhibit list, deposition designations)
July 21, 2025	Objections to burden pretrial disclosures / non-burden pretrial disclosures (non-burden witness list exhibit lists, deposition designations)
August 4, 2025	Objections to rebuttal pretrial disclosures
August 25, 2025	Motions <i>in limine</i>
September 15, 2025	Joint pretrial order, joint proposed jury instructions, joint proposed verdict form, updated witness lists, updated deposition designations
September 15, 2025	Responses to motions <i>in limine</i>
14 days before trial	Patent owner's final election of asserted claims
7 days before trial	Accused infringer's final invalidity theories, final prior art references/combinations, and final equitable defenses

5. The Court will set this case for final pretrial conference at a later time. The final pretrial conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of the final pretrial conference.

The parties shall not complete the following paragraph. It will be completed by the Court at the initial pretrial conference to be scheduled by the Court.

6. This case is set for \_\_\_\_\_ trial commencing at 9:00 a.m. on \_\_\_\_\_, 20 \_\_\_\_\_. By filing an agreed motion, the parties may request that this Court extend any deadline set in this Order, with the exception of the dispositive motions deadline and the trial date. The Court may impose sanctions under Federal Rule of Civil Procedure 16(f) if the parties do not make timely submissions under this Order.

SIGNED on \_\_\_\_\_, 20 \_\_\_\_\_.  
  

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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE